

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and the following remarks, is respectfully requested. Claims 1-2, 4, 13, 15-18, 20-23, 25, 29, 31-34, 36 and 40-44 are pending in this application. By this Amendment, claims 1, 13, 15 - 18 are amended. By this Amendment, claims 41 - 44 are added. By this Amendment, no claims are cancelled. Claims 1, 15, 16, 17, and 18 are the independent claims.

Claim Objections

The Examiner has objected to claim 13 because of a minor informality. Applicants have amended claim 13 to overcome this objection. As such, Applicants respectfully request this objection be withdrawn.

Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 1, 2, 4, 13, 15-18, 20-23, 25, 29, 31-34, 36 and 40 under 35 U.S.C. § 102(b) as being anticipated by Ando et al. (U.S. Patent Publication No. 2001/0046371, hereinafter "Ando"). Applicants respectfully traverse this rejection for the reasons detailed below.

Without conceding to the Examiner's current position, Applicants have amended independent claim 1 to further recite "wherein the playlist file further includes **sync information** and **repeat information**, the sync information identifying whether reproduction being indicated by the at least one playitem is synchronized with reproduction being indicated by the at least one sub-playitem, the repeat information indicating whether to repeat the reproduction indicated by the at least one sub-playitem." Assuming for the sake of argument that the PGC and UDPGC of Ando correspond to the playlist file of claim 1 (which Applicants do not admit), the PGC and

UDPGC of Ando do **not** include “sync information” and “repeat information” within the meaning of claim 1. For example, the PGC and UDPGC of Ando do **not** provide sync information that identifies whether reproduction being indicated by the at least one playitem is synchronized with reproduction being indicated by the at least one sub-playitem. Also, the PGC and UDPGC of Ando do not provide repeat information that indicates whether to repeat the reproduction indicated by the at least one sub-playitem. As a result, Ando cannot anticipate claim 1 within the meaning of 35 U.S.C. §102. Independent claims 15, 16, 17, and 18 have been amended to include features similar to the above identified features of claim 1, and therefore are patentable for at least the same reasons stated above. The pending dependent claims, dependent on claims 1, 15, 16, 17, and 18, are patentable for at least the same reasons stated above. As such, Applicants respectfully request this rejection be withdrawn.

New Claims

New claims 41-44, dependent on independent claims 15 and 16, are patentable for at least the same reasons stated above.

CONCLUSION

Accordingly, in view of the above remarks, reconsideration of the objections and rejections and allowance of each of claims Gary D. Yacura in connection with the present application is earnestly solicited.

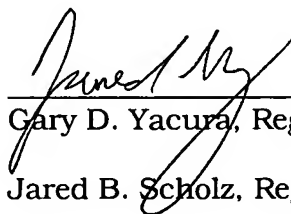
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



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